



City of Burien
400 SW 152nd Street
Suite 300
Burien, WA 98166-1911



P 206.241.4647
F 206.248.5539

burienwa.gov

July 11, 2017

Julie Wise, Director
King County Records and Elections
919 Southwest Grady Way
Renton, WA 98057

Re: Burien Initiative No. 1 to Repeal City of Burien Ordinance 651

Dear Ms. Wise:

Pursuant to RCW 35A.11.080, the City of Burien adopted the powers of initiative and referendum. See Burien Municipal Code (BMC) 1.10.010. On January 9, 2017, the City adopted Ordinance No. 651 prohibiting City officers, employees, and agents from inquiring into the immigration status of any individual.

On Friday, July 7, 2017, the City was served with the enclosed petition containing signatures of Burien voters desiring to place on a special election ballot the repeal of Ordinance No. 651. The petition signatures are enclosed.

RCW 35A.11.100 governs initiative and referendum in code cities; that section states that the powers forth in RCW 35.17.240 through RCW 35.17.360 shall apply to non-charter code cities, except that the number of registered voters needed to sign a petition for initiative or referendum shall be fifteen percent (15%) of the total number of names of persons listed as registered voters within the City on the day of the last preceding general election.

RCW 35.17.270 requires the petitioner preparing an initiative petition to follow the procedures established in RCW 35.21.005. The code city analog to RCW 35.21.005 is 35A.01.040(4)¹ which states in pertinent part:

“Within the three working days after the filing of a petition, the officer with whom the petition is filed shall transmit the petition to the county auditor for petitions signed by registered voters ... for a determination of sufficiency.”

¹ Because the City of Burien is a Code City organized pursuant to RCW 35A, it follows 35A.01.040(4). *Eyman v. McGeehee*, 173 Wn.App 684 (2013).

As further set forth in RCW 35A.01.040(4), the Burien City Clerk – the officer with whom the petition herein was originally filed – will forward to you such “additional pages of one or more signatures” to “add to the petition” as necessary. Pursuant to 35A.01.040(10), I anticipate receiving from you a written decision regarding the sufficiency of the petition within 10 days of the filing of the same.

Please contact me at (206) 248-5517 with any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Monica Lusk', with a long horizontal flourish extending to the right.

Monica Lusk, City Clerk

cc: Craig Keller, Respect Washington